



BELLINGHAM PLANNING BOARD

P.O. BOX 43

TOWN HALL, BELLINGHAM, MASSACHUSETTS 02019

EDWARD T. MOORE, CHAIRMAN
GLENN E. GERRIOR, VICE CHAIRMAN
EMILE W. NIEDZWIADK
ANNE M. FARRIS
JOHN P. MURRAY

MINUTES OF REGULAR MEETING JULY 10, 1986

The meeting opened at 8:00. Four members were present. JPM arrived at 8:15.

INFORMAL DISCUSSION REGARDING ROLLING HILLS ESTATES
Abutters from David Road were present to voice concerns.

Mr. and Mrs. McGilvray 52 David Road were present. Adelard Cournoyer from 47 David were present. The main concern was the length of the drainage pipe and openness of the pipe at the end and safety for children.

The Chairman reviewed the conditions as setforth in the D-1 (Definitive Plan Approval Form). He stated that he had checked with the highway superintendent, Gerard Daigle regarding the length of drainage pipe and Daigle stated that the drainage will be constructed as approved or no lots will be released.

McGilvray stated that "Butch Bixby" had installed an additional two (2) lengths of pipe.

Chairman stated the pipe could not be extended on someone else's property without a easment. The plan clearly indicated 140' of pipe would be installed. Someone else's property in this case constitutes Varney property.

Bruce Lord, Esq. interjected that the property has had a history of flooding year after year. The easement in which they are working is already the Town's. Any problems should be addressed and corrected now.

Cournoyer remarked that Roland Arcand from the highway department inspected the work and would not release the bond. Only 118 ft. of pipe had been installed and 140' was necessary for completion in compliance with the approved plan.

JPM stated that no building permits would be issued until a bond was posted.

8:15 P.M. Ben Chirco from the Fafard Company presented 81-P Plans relative to the "Shores At Silver Lake" for the purposes of title conveyance.



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Form A. - 81-P Plan

1. Parcel One - Owner: Joseph Rosenfeld
Surveyor: Guerriere & Halnon, Inc. Franklin, MA

Leonard San Clemente, Senior P.L.S. with the company was present to explain technical questions. He stated that plans were prepared from field survey in accordance with 1923 plan. All of the encumbrances held on the original 1923 plan had to be shown on this updated version.

Bruce Lord, Esq. interjected that building is allowable on private ways. These plans have frontage in all zones.

E.N. stated that there was some controversy surrounding Canale Drive as to whether or not it was a street.

JPM moved to sign the plan; GG seconded the motion; motion carried by unanimous vote of 5.

Chairman indicated to the press and general public that these plans were prepared for title conveyance and by no means were an indication that this company would be allowed to go right out and construct condominiums.

Interested party, Mario Souza from 953 So. Main St. expressed concern over the presentation of 81-P plans.

Check received from the Fafard Companies for \$10.00 #4297.

2. Parcel Two - Property of Rose Boudreau - Parcel contains 66.9894 acres. A.F. moved to sign the plan; G.G. seconded the motion; motion carried by unanimous vote of 5. Ck. #4299 in the amount of \$10.00 dated 7/1/86 was presented by the Fafard Company representing filing fee.

3. Parcel Three - Property of the Estate of Andor DeJony - 5.770 acres.
c/o Mary Johnson Esq., 1200 Bricknell Ave.
Miami, Florida

A.F. moved to sign; G.G. seconded the motion; motion carried by unanimous vote of 5. CK #4300, dated 7/1/86 in the amount of \$10.00 from the Fafard Company was received for filing fee.

4. Parcel Four - Property of Wilfred B. and Edna Dufresne 3.4915 acres
357 Winthrop St., Rehoboth MA by Atty. Preston H. Hood
A.F. moved to sign; G.G. seconded the motion; motion carried by unanimous vote of 5. CK #4298, dated 7/1/86 in the amount of \$10.00 was received for filing fee payment from the Fafard Company.



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5. Parcel Five - Property of Dora Bell, 985 So. Main St., Bellingham, 5.2896 acres behind Douglas Drive. Labelled as not a buildable lot. G.G. moved to sign; A.F. seconded the motion; motion carried by unanimous vote of 5. CK #4301 dated 7/1/86 in the amount of \$10.00 was presented as filing fee by the Fafard Company.

81-P Plan MA GLOCKNER'S INC.

A.T. Handverger, Esq. 177 Main St., West Medway, MA
Fee of \$10.00 received from the attorney's office. Acreage 40.978
Location of this parcel is between the restaurant parking lot and the first house down the street. Plan being prepared for conveyance.
Engineer/Surveyor: Guerriere & Halnon, Inc. E. Central St., Franklin, MA 02039
Land Court Book 132, Certificate No. 26260

81-P Plan Property of Theodore Hilliard

Bruce Lord, Esq. represented developer L.J. Gentile & Sons, Inc.
P.O. Box 159, Norfolk, MA 02056
Surveyor: Mass Developmental Engineering and Design, D.R. Clow, C.E.
40 Walnut Street, Plainville, MA 02762.

Location 334 Hartford Avenue, Bellingham, MA (Mr. Hilliard)

Parcel contains 57,754 s.f. shown as Parcel 9A on Assessors Map #13 adjacent to the Town of Bellingham - Stallbrook School.

They propose to cut two (2) building lots.

Letter dated 6/4/86 from the Water Commissioners was read into the record. Their information was based on opinion from Town Counsel.

Bruce Lord presented his case in support of considering the driveway or R.O.W. an accepted PUBLIC WAY. He outlined the original owner conveyance with R.O.W. Then eminent domain proceedings and land taking which included the R.O.W. by the Town was outlined. He noted that Guaranty First Trust relied on the R.O.W. Property had been deeded to Glockner, to Hilliard and then a variance was sought and granted. Lord concluded that the R.O.W. was in better condition than Farm Street and that parents and busses traveled over same to get to Stallbrook school, little league field and had been used by Voice, a private school, who also utilized the R.O.W.

Chairman stated that in view of the controversy and the letter on record from the Water Department, Town Counsel would have to be consulted.

Filing fee Ck. #159, Park Place realty Trust, 68 Grove St., Norfolk, MA 02056 was presented.



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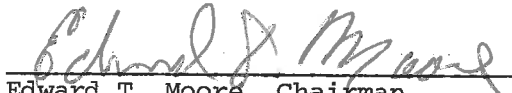
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No action will be taken on the 81-P plan as presented until the Meeting of July 24, 1986. Town Counsel's opinion will be sought and the Board will have to comply with his ruling.

Meeting adjourned at 10:00 ~~pm~~



Edward T. Moore, Chairman

Glenn E. Gerrior, Vice Chairman

Emile W. Niedzwiadek

Anne M. Farris

John P. Murray